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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCUS L. CURRY,)	No. C 12-04576 EJD (PR)
Plaintiff,)	ORDER OF DISMISSAL
v.)	
A. MEDINA, et al.,)	
Defendants.)	

Plaintiff, a state prisoner at Pelican Bay State Prison, filed the instant civil rights action in pro se pursuant to 42 U.S.C. § 1983. On December 6, 2012, the Court dismissed the complaint with leave to amend such that Plaintiff had twenty-eight days from the date of the order to file an amended complaint using the court’s form complaint. (Docket No. 7.) Plaintiff was also given the option to file notice if he wished to proceed only with the cognizable claims against certain defendants and strike all other claims from the complaint. (Id. at 3.) Plaintiff was advised that “[f]ailure to respond in accordance with this order by filing an amended complaint will result in the dismissal of this action without prejudice and without further notice to Plaintiff.” (Id.)

The deadline has long since passed, and Plaintiff has failed to file a response to the court order. Accordingly, this case is DISMISSED without prejudice.

1 The Clerk shall terminate any pending motions.

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3 DATED: 4/5/2013


EDWARD J. DAVILA
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARCUS L. CURRY,
Plaintiff,

Case Number: CV12-04576 EJD

CERTIFICATE OF SERVICE

v.

A. MEDINA, et al.,
Defendants.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 4/8/2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Marcus L. Curry P74528
Pelican Bay State Prison
P.O. Box 7500
Crescent City, CA 95532

Dated: 4/8/2013

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk